

REMARKS

Claims 1-8 and are pending in this application.

Claim 8 has been amended in line with the assumption made by the examiner in the Office Action. In view of the modification to Claim 8, it is respectfully submitted that point 1 of the Office Action is rendered moot with the present amendment.

The examiner has rejected Claims 1-8 as being unpatentable over Lowdon (US Patent 6,073,019) in view of Harjula et al. (International patent application WO 98/35511).

The applicant has carefully considered the Examiner's reasoned statement with regard to obviousness rejection of claim 1.

Prior art disclosed in Lowdon as recited by the Examiner in point 3 of the Office Action is not contested in the present reply. The Examiner has acknowledged that Claim 1 adds an additional feature, wherein "the feeder means further have means for applying at least part of the second radio frequency signals to the first cable run".

Issue is however taken with that part of the reasoned statement, which directs to the prior art disclosed by Harjula et al. More specifically, the Examiner states in the paragraph starting page 3, line 5 of the Office Action, that Harjula et al. would disclose the above captioned additional feature. The Examiner refers to page 8, paragraph 1 of Harjula et al.

Examiner is respectfully solicited to reconsider his understanding of Harjula et al. in view of the following remarks.

Harjula et al. discloses a radio telephone system comprising two base stations 1,2 connected to a telephone exchange, and respectively serving two adjacent stations 3,4 of an underground railway system. A first radiating cable 9 extends from the first base station 1, whereas a second radiating cable 12 extends from the second base station 2. Each radiating cable has a cut end, respectively 10 and 13, which are adjacent to each other. As the train approaches the cut end 10, so the signal strength received by the mobile telephone falls. In order to continue the communication between the mobile telephone and the exchange, radio communication is transferred to the cable 12 in a call handover process. Stated otherwise, the radio communication is transferred to radio frequency signals from the second base station 2 and fed to the second radiating cable 12 extending therefrom.

Actually, Harjula et al. neither discloses nor suggests the feature of the claimed invention wherein, to avoid loss of the radio communication while leaving, at least part of the radio frequency signals from a given base station are fed to the cable run extending from the other base station.

To the contrary, Harjula et al. discloses that handover must be performed rapidly to prevent interruption of the communication (see page 8, lines 5-7). Harjula et al. is actually teaching the one with ordinary skills in the art away from the teaching of the invention. Therefore, there can be no suggestion or motivation to combine Lowdon and Harjula.


In respect of the above remarks/arguments, the Examiner is invited to reconsider the rejection of Claim 1.

In view of the patentability of independent Claim 1, which is the sole independent claim pending in the application, it is respectfully submitted that dependent Claims 2-8 are also allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. In view of the amendment to the Abstract, the present application is in condition for allowance. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (MTR.0002US).

Respectfully submitted,

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